

## EXHIBIT B

**In The Matter Of:**  
*Newell Rubbermaid, Inc. vs.*  
*Lofts, LLC*

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*Scott Bosgraaf*  
*June 9, 2016*

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**Bingham Farms/Southfield • Grand Rapids**  
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*Original File BOSGRAAF\_SCOTT.txt*  
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<p>1     <b>MR. SHOWALTER:</b> I want to talk about 59.</p> <p>2     <b>MR. BILA:</b> That's what I'm saying. He'd rather</p> <p>3     show you on 59 what has been incurred.</p> <p>4     <b>MR. SHOWALTER:</b> Oh, that's fine.</p> <p>5     <b>MR. BILA:</b> So you can rule out all that --</p> <p>6     <b>MR. SHOWALTER:</b> Sure. That's fine, that's</p> <p>7     fine. I'm sorry. I thought he was going to pull</p> <p>8     another document. That's fine. Go ahead.</p> <p>9     <b>THE WITNESS:</b> If we use Exhibit 58 -- stay on</p> <p>10   the record. Just pause. If you look at an</p> <p>11   invoice -- wrong invoice. Sorry. I suppose this</p> <p>12   isn't a race. Is it?</p> <p>13   <b>MR. MORE:</b> It is not.</p> <p>14   <b>MR. SHOWALTER:</b> We're just trying to get the</p> <p>15   correct and accurate testimony on the record.</p> <p>16   <b>THE WITNESS:</b> If you go back to Exhibit 58 and</p> <p>17   you look at the total selection of different</p> <p>18   categories and the totals on their amount and you</p> <p>19   look at the total for construction cost for invoice</p> <p>20   dated December 28, 2010, for \$800,107.20, if you</p> <p>21   actually look at the invoice and read through the</p> <p>22   detail, this is the only construction expenses so</p> <p>23   far that actually have been incurred, but if you</p> <p>24   look at the invoice, they really don't relate just</p> <p>25   to one phase. They relate to all three phases, so</p>	<p>Page 57</p> <p>1     grant.</p> <p>2     So the only things that have been turned</p> <p>3     in so far against this million five plus the</p> <p>4     contingency fee are the demolition Bosgraaf invoice</p> <p>5     dated December 16, 2009, for roughly 460,646.64 and</p> <p>6     the Bosgraaf invoice dated December 28, 2010 for</p> <p>7     \$433,960.47, and probably the Quality Environmental</p> <p>8     for 41,180.</p> <p>9     Those have been turned in and applied to</p> <p>10   the demolition that's in this spreadsheet. That</p> <p>11   can actually be accurately reflected in this</p> <p>12   document that was produced in discovery where it</p> <p>13   says that these were turned in to -- it doesn't say</p> <p>14   to the ERA, but these were turned in to the Sturgis</p> <p>15   ERA on 12/28/2010. These are costs that are not</p> <p>16   related in any shape or form to the DEQ loan or</p> <p>17   grant, and then also another number that was turned</p> <p>18   in on 12/16/2009 to the Brownfield. Those have all</p> <p>19   been certified, ratified and approved by the</p> <p>20   Brownfield authority. That's where that number</p> <p>21   applies to.</p> <p>22   Q. Okay.</p> <p>23   A. Now, there's more demo to do on the</p> <p>24   project, yet I anticipate that we will hit this</p> <p>25   number plus the contingency, which is like a</p>
<p>Page 58</p> <p>1     you -- a little bit of this would go in each one of</p> <p>2     these columns from this invoice, and then --</p> <p>3     <b>MR. SHOWALTER:</b> Let's mark this as an exhibit.</p> <p>4     (Whereupon, Deposition</p> <p>5     Exhibit 70 was marked for</p> <p>6     identification as of 06/09/2016.)</p> <p>7     <b>THE WITNESS:</b> And then if you look at -- oh,</p> <p>8     let's take an item. If you look at DEQ loan and</p> <p>9     grant, items on Exhibit 58 on here, if you just add</p> <p>10   together DEQ loan and grant items, you've got a</p> <p>11   roughly -- you want me use a calculator and be</p> <p>12   precise or just give you an estimate?</p> <p>13   <b>BY MR. SHOWALTER:</b></p> <p>14   Q. Let's just do it generally.</p> <p>15   A. Let's just say it's a million three or</p> <p>16   four. Those actually don't have any relation to</p> <p>17   anything on this spreadsheet either because the</p> <p>18   demolition in here was TIF-related demolition.</p> <p>19   That's under this DEQ loan and grant.</p> <p>20   What happened is we got into the building</p> <p>21   and we started the process, and it kind of exploded</p> <p>22   on how much demolition and how much lead and</p> <p>23   asbestos issues we had, and then obviously it went</p> <p>24   into the TCE issue where we had to do the vapor</p> <p>25   barrier and other expenses, hence the loan and the</p>	<p>Page 60</p> <p>1     million eight and some change, plus the loan and</p> <p>2     the grant functions.</p> <p>3     So, in other words, this early estimate</p> <p>4     was way off on what -- I mean, you guys keep</p> <p>5     calling it demo, but it's -- you know, lead and</p> <p>6     asbestos was one area. Selective demo was another</p> <p>7     area. Due care activities under the loan were</p> <p>8     another activity. They're all different things.</p> <p>9     So maybe a better way to summarize it, if</p> <p>10   you look at the historic tax credit that was</p> <p>11   probably sent in in April or May of 2010, it</p> <p>12   actually has a number on it that the budget now is</p> <p>13   like a 12 million-plus number because it's bigger.</p> <p>14   The building got bigger. The demolition costs</p> <p>15   exploded.</p> <p>16   Q. Did you submit an application in 2010 for</p> <p>17   tax credits?</p> <p>18   A. In when?</p> <p>19   Q. In 2010. Did you just testify that you</p> <p>20   submitted an application in 2010 for tax credits?</p> <p>21   A. For historic tax credits. You have it. I</p> <p>22   have it here if you'd like to see it.</p> <p>23   Q. Let's tag some documents here first.</p> <p>24   A. Okay.</p> <p>25   Q. Let's tag these -- is this the correct</p>